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10/808,868	03/25/2004	Takashi Aizawa	1232-5352	6663

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EXAMINER
WANG, KENT F

ART UNIT	PAPER NUMBER
2622	

NOTIFICATION DATE	DELIVERY MODE
01/15/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/808,868	AIZAWA, TAKASHI	
	Examiner	Art Unit	
	Kent Wang	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10/29/2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendments, filed on 10/29/2007, have been entered and made of record. Claims 1, 2, 4, 5, 7, 10, 13, and 17-19 have been amended, and new claims 20-39 have been added. Claims 1-39 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 2, 4, 7, 10 and 13 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-12 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kato, US 7,095,436.

Regarding claim 1, Kato discloses an information acquisition method for an information processing apparatus (personal computer 30, Fig 5) which acquires attribute information (index files 20d, Fig 3) related to image data (picture file 20c, Fig 3) of images stored in an external device (external flash memory 20 of the digital camera 1, Fig 2), comprising:

- detecting whether the information processing apparatus (personal computer 30, Fig 5) is connected to the external device (external flash memory 20 of the digital camera 1, Fig 2) so that they can communicate with each other (the personal computer 30 automatically detects a connection of electronic camera 1 via the communication device such as USB connection using a plug and play function) (col. 9, lines 3-16, col. 10, lines 6-12 and Fig 5); and
- acquiring partial information (a specified index file 20d, i.e. folderA.txt, Figs 3 and 13) instead of full information of the attribute information (all index files 20d, Figs 3-4 and 12-13) for each of the images if it is detected that the information processing apparatus (personal computer 30) connected to the external device (external flash memory 20 of the digital camera 1) (col. 9, lines 17-38, col. 10, lines 6-26, and col. 11 line 30 to col. 12, line 15, and Figs 3-4, 8, and 12-13).

Regarding claim 2, Kato discloses the partial information (an index file 20d containing an identifier) of the attribute information requires a short periods of time to be acquired than the rest of the attribute information (an index file 20d containing an identifier with which any image data piece specified by the specifying means can be identified wherein the configuration enables improving a working efficiency in image processing on the image data by an external apparatus, thus it only requires a short periods of time to transfer the specified index text file) (col. 2, lines 22-36).

Regarding claim 3, Kato discloses an information acquisition method further comprising in response to a request for an image (to send each picture files 20c

described in the specified index file 20d, step SC5 of Fig 13) by the information processing apparatus (personal computer 30, Fig 5), acquiring from the external device (external flash memory 20 of the digital camera 1) the attribute information (index files 20d, Fig 3) of the requested image (a picture files 20c) except for the previously acquired partial information (a specified index file 20d) of the attribute information (index files 20d, Fig 3) (col. 11, 30 to col. 12, line 15)

Regarding claim 4, Kato discloses an information processing method for an image recording apparatus (digital camera 1, Fig 2) which generates attribute information (index files 20d, Fig 3) related to image data (picture file 20c, Fig 3) of stored images (external flash memory 20, Fig 2), comprising:

- detecting whether the image recording apparatus (digital camera 1, Fig 2) is connected to the external device (personal computer 30, Fig 5) so that they can communicate with each other (the personal computer 30 automatically detects a connection of electronic camera 1 via the communication device such as USB connection using a plug and play function) (col. 9, lines 3-16, col. 10, lines 6-12 and Fig 5);
- generating partial information (a specified index file 20d, i.e. folderA.txt, Figs 3 and 13) of the attribute information (all index files 20d, Figs 3-4 and 12-13) for each of the images if it is detected that the image recording apparatus (digital camera 1, Fig 2) connected to the external device (personal computer 30) (col. 9, lines 17-38, col. 10, lines 6-26, and col. 11 line 30 to col. 12, line 15, and Figs 3-4, 8, and 12); and

- transmitting the generated partial information (a specified index file 20d, i.e. folderA.txt, Figs 3 and 13) instead of full information of the attribute information to the external device (step SC1 and step SD1 of Figs 13 and 12, respectively) (col. 11 line 62 to col. 12, line 15, and Fig 12).

Regarding claims 5, 8 and 11, these claims recite same limitations as claim 2. Thus they are analyzed as previously discussed with rejected to claim 2 above.

Regarding claims 6, 9 and 12, these claims recite same limitations as claim 3. Thus they are analyzed as previously discussed with rejected to claim 3 above.

Regarding claim 7, this claim differs from claim 1 only in that the claim 1 is a method claim whereas claim 7 is an apparatus. Thus the apparatus claim 7 is analyzed and rejected as previously discussed with respected to claim 1 above.

Regarding claim 10, this claim differs from claim 4 only in that the claim 4 is a method claim whereas claim 10 is an apparatus. Thus the apparatus claim 10 is analyzed and rejected as previously discussed with respected to claim 4 above.

Claim Rejections - 35 USC § 103

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 13-21, 24-25, 28-29, 32-33, and 36-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamaya (US 2004/0109062) in view of Kato (US 7,095,436).

Regarding claim 13, Yamaya discloses an information processing method for a digital imaging system having a digital image generating apparatus (a digital camera 102) and an information processing apparatus (a USB host personal computer 100), the digital image generating apparatus storing image data of a plurality of generated images (for example JPEG, MPEG, GIF, TIFF, BMP, and so forth) as image files in a storage device (a DRAM) ([0044] and [0047]), said method comprising:

- the image processing apparatus managing a plurality of pieces of attribute information contained in object information related to each of the image files in the digital image generating apparatus (102) in two or more categories (digital camera manages picture data with file numbers; [0079]) (attribute data is added to each file so that the computer can recognize related two files in the same folder; [0078]) (two or more categories: E-mail subfile and voice memory subfile; [0071]); and
- the image processing apparatus creating for each of the image files, an object only containing information in a part of the categories out of the plurality of pieces of attribute information (as at step S112 of Fig 5, the controlling microcomputer creates a file table that contains information that represents the relation of main pictures and subfiles and the types of subfiles corresponding to folders, their names, record date/time data, and so forth; [0073] and [0074]) when the digital image generating apparatus is connected to the information processing apparatus (only when the digital camera and the personal computer are connected through the USB interface, the file table is generated; [0075]).

Yamaya reference does not specifically teach that an object only containing information in a part instead of in full of the categories out of the plurality of pieces of attribute information when the digital image generating apparatus is connected to the information processing apparatus. However Kato does teach an object only containing information in a part (a specified index file 20d, i.e. folderA.txt, Figs 3 and 13) instead of in full of the categories out of the plurality of pieces of attribute information (all index files 20d, Figs 3-4 and 12-13) when the digital image generating apparatus (digital camera 1, Fig 2) is connected to the information processing apparatus (personal computer 30, Fig 5, Kato).

Thus, it would have been obvious to one of ordinary skill in the art to have included the specified index files system as taught by Kato into Yamaya's data transfer method, as to provide a data transfer method wherein the configuration enables improving a working efficiency in transfer processing in the attribute information by an external apparatus (col. 2, lines 22-36, Kato).

Regarding claim 14, Yamaya discloses an application running on the information processing apparatus (100) requires overall image data of an image, the digital image generating apparatus (102) generates attribute information of the required image (attribute data is added to each file; [0078]) except for the attribute information in the part of the categories (file type information: 1 represents an E-mail subfile and 2 represents a voice memo subfile; [0074]) generated at the time of the connection between the information processing apparatus (100) and the digital image generating apparatus (102), and the information processing apparatus (100) acquires the .

generated attribute information, and then stores and manages the generated attribute information in the object created at the time of the connection (see [0073], [0074], [0075], and [0078]).

Regarding claim 15, Yamaya discloses the information in the part of the categories of the attribute information (file type information: 1 represents an E-mail subfile and 2 represents a voice memo subfile; [0074]) is acquired from management information (file type information) held by a file system in the digital image generating apparatus (102).

Regarding claim 16, Yamaya discloses the attribute information except for the information in the part of the categories of the attribute information contains data in a file stored in the digital image generating apparatus (the controlling microcomputer 6 creates a file table for files stored in the record medium 9 and the created file table is stored in the buffer memory 8; [0073]).

Regarding claim 17, Yamaya discloses a computer readable medium encoded with a computer program for causing a computer to execute the information acquisition method according to claim 1 (an application program has been installed to the personal computer 100) ([0063]).

Regarding claims 18 and 19, these claims recite same limitations as claim 17. Thus they are analyzed and rejected as previously discussed with respect to claim 17 above.

Regarding claim 20, Yamaya discloses the partial information (object information) includes a file name, a file size, and date and time when a file is generated ([0117]).

Regarding claim 21, Yamaya discloses the partial information (object information) includes a thumbnail data (a pixels of picture/thumbnail) corresponding to the image data ([0117]).

Regarding claims 24, 28, 32 and 36, these claims recite same limitations as claim 20. Thus they are analyzed as previously discussed with rejected to claim 20 above.

Regarding claims 25, 29, 33 and 37, these claims recite same limitations as claim 21. Thus they are analyzed as previously discussed with rejected to claim 21 above.

7. Claims 22-23, 26-27, 30-31, 34-35, and 38-39 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamaya (US 2004/0109062) in view of Kato (US 7,095,436), and further in view of Watanabe (US 7,304,667).

As for claim 22, the limitations of claim 1 are taught above, the Yamaya and Kato references do not specifically teach that partial information includes information obtained without analyzing a file of the image data. However Watanabe does teach the partial information (tag information, Fig 6) includes information (auto and manual capturing configurations, Fig 6) obtained without analyzing a file of the image data (outputting unit 126 outputs tag information with capturing configuration) (col. 18, lines 16-43 and Fig 6, Watanabe).

Thus, it would have been obvious to one of ordinary skill in the art to have included the auto capturing unit as taught by Watanabe into Yamaya and Kato's data transfer system, as to provide a apparatus which is capable to determine capturing tag information in association with the image based on the auto and manual capturing configuration without analyzing it (col. 2, lines 8-16, Watanabe).

As for claim 23, the limitations of claim 1 are taught above, the Yamaya and Kato references do not specifically teach that the rest of the attribute information other than said partial information includes information obtained by analyzing a file of the image data. However Watanabe does teach the rest of the attribute information (image processing control information, Fig 6) other than said partial information (auto and manual capturing configurations, Fig 6) includes information (processing degree designating code, color depth process and edge enhancing, Fig 6) obtained by analyzing a file of the image data (col. 18, lines 44-67, Watanabe).

Thus, it would have been obvious to one of ordinary skill in the art to have included the auto capturing unit as taught by Watanabe into Yamaya and Kato's data transfer system, as to provide a apparatus which is capable to control the image processing unit based on the image processing control information associated with the image (col. 2, lines 17-33, Watanabe).

Regarding claims 26, 30, 34 and 38, these claims recite same limitations as claim 22. Thus they are analyzed as previously discussed with rejected to claim 22 above.

Regarding claims 27, 31, 35 and 39, these claims recite same limitations as claim 23. Thus they are analyzed as previously discussed with rejected to claim 23 above.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kent Wang whose telephone number is 571-270-1703. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-270-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KW / YA
4 January 2008

NGOC-YEN VU
SUPERVISORY PATENT EXAMINER